

REQUEST FOR CLARIFICATION/INTERPRETATION

TO:	Name and Title: Jannis Conselyea	FROM:	Name and Title: Tracy Lane
	Organizational Unit: Program Support Bureau		Organizational Unit: Quality Life Concepts
	Address: 111 Sanders		Address: Great Falls

1. TYPE OF REQUEST: ☐ Follow-up to Verbal Request - Date of Verbal Request: ☒ Written Request

2. STATEMENT OF QUESTION OR ISSUE: from ARM aversive definitions:

"Restitution" means a procedure used to decrease a maladaptive target behavior by directing a person to restore the person's environment.

or

"Punishment" means specifically adding an event or stimulus following the occurrence of a target behavior that decreases the probability of the behavior being maintained or occurring more frequently in the future.

So the question here is that if someone in Supported Living renting an apartment out in the community does damage to the property why is the client not responsible. They sign a rental agreement with the landlord and that agreement states that they are responsible for damages. But now ARM is stating something completely different. And according to Regional office this rule applies to ALL persons in services. Question again. A child in Autism Waiver is out in the community or at their home with their family and does property damage this rule then says that the provider is responsible. Please clarify.

References:

ANSWER: The Montana Developmental Disability Program has no policy authority to require that an individual in Developmental Disabilities Program Services be required to pay for damages to the environment. A behavioral treatment plan may include aspects of the aversive rule ARM 37.34.1401 – 37.34.1428 targeting specific behaviors as mentioned above.

Approved and Issued by:

 Program Director

Date: 5-18-11

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